



HELLENIC REPUBLIC
HELLENIC COMPETITION COMMISSION

Athens, 6 November 2020

PRESS RELEASE

Subject: Statement of Objections in relation to alleged infringements of Articles 1 and 2 of Law 3959/2011 and Articles 101 and 102 TFEU in the Greek market for general purpose gas appliances by DIMKA SA, following a complaint by STAMATOULIS SA as well as an *ex officio* investigation of the HCC's General Directorate for Competition

The Plenary Session of the Hellenic Competition Commission (HCC) will convene on 22 December 2020 to examine, upon the relevant Statement of Objections, alleged infringements by DIMKA SA (currently RESOUL SA) of Articles 1 and 2 of Law 3959/2011 ("Greek Competition Act") and Articles 101 and 102 of the Treaty on the Functioning of the EU ("TFEU") in the Greek market for general purpose gas appliances, following a complaint by STAMATOULIS SA and an *ex officio* investigation by the HCC's General Directorate for Competition in the abovementioned market.

According to the Statement of Objections, the HCC is advised to find an infringement of Articles 1 and 2 of the Greek Competition Act as well as of Articles 101 and 102 TFEU by RESOUL SA, for the reasons set out in detail therein. In particular, according to the SO, the agreements concluded between RESOUL SA and its wholesalers/ distributors during the period 2008-2012 contain obligations relating to, *inter alia*, resale price maintenance (RPM), restrictions on passive sales (as well as active sales, particularly during the period 2008-2009), single branding (non-compete), and target rebates. In addition, the SO suggests that, during the period 2005-2019, RESOUL SA, which holds a dominant position in the relevant market, applied a rebate scheme by granting target discounts to most of the supermarkets with which it concluded agreements. In light of the above, it is suggested that the HCC shall impose a fine upon RESOUL SA, and that the latter is required to omit similar practices in the future and to remove any terms relating to target discounts from its agreements with the supermarkets, in case such terms are in force. Finally, it is suggested that RESOUL SA is threatened with a fine, in case the HCC decides in the future that the above-mentioned infringements continue or are repeated.

It is noted that the Statement of Objections is not binding on the HCC, which will decide on the case after it has taken into consideration all evidence, as well as the arguments put forward by all implicated parties.